

**CEDAR LAKE MINING, INC.
ROBBINS ROAD MINE, P-3974, R-9**

CEDAR LAKE MINING, INC.

ROBBINS ROAD MINE, P-3974, R-9

ALABAMA SURFACE MINING COMMISSION

SURFACE MINING PERMIT APPLICATION

P A R T I

Prepared by:

MCGEHEE ENGINEERING CORP.

P. O. Box 3431
450 19th Street West
Jasper, Alabama 35502-3431
Telephone: (205) 221-0686
Fax: (205) 221-7721
Email: staff's first name@mcgehee.org

**CEDAR LAKE MINING, INC.
ROBBINS ROAD MINE, P-3974, R-9**

Fee: _____

Bond Required: _____

Date Approved: _____

APPLICATION FOR PERMIT REVISION

Name of Permittee: **Cedar Lake Mining, Inc.**

License Number: L-775 Complete Permit Number: P-3974-64-20-S

Expiration Date of Permit: 05/12/2020 Revision Number: R-9

Mine Name: Robbins Road Mine

Nature of Proposed Revision R-9:

1. Modify the Operation Plan.
2. Transfer 4 mining acres from Increment No. 5 to Increment No. 2
3. Add 33 mining acres to Increment No. 2
4. Modify the General Plan. (Modify/re-evaluate Sediment Basins 043, 043A and 045)

Identify any conditions placed on this permit which would relate to the proposed revision being requested:

None.

Name: McGehee Engineering, Corp.
Mailing Address: P. O. Box 3431, 450 19th Street West
City: Jasper State: AL Zip: 35502
Telephone Number: (205) 221-0686
Email Address: staff's first name@mcgehee.org

**CEDAR LAKE MINING, INC.
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PART I B. OWNERSHIP AND CONTROL

1. PERMIT APPLICANT OWNERSHIP AND CONTROL

At the time of filing of this application provide an update of all information contained in the applicant's license file or certify that the information contained in the license is accurate and complete. The updated information shall be submitted on Part I A through Part I F of the License application form. Check one of the following:

☐ A license update is included.

☒ Information contained in the license file is accurate and complete at the time of filing of this application.
No update is included.

Following notification that the permit appears eligible for issuance, the applicant must certify that all information in this application and the license file pertaining to ownership and control, surface mining history and violation history is still valid or the applicant must submit the appropriate update information.

2. OPERATOR OWNERSHIP AND CONTROL

If someone other than the permittee has been identified as the operator under this permit, an update of the ownership and control information contained in the operator's license file must be provided or certify that the information contained in the license file is accurate and complete. The updated information shall be submitted on Part I A through Part I F of the License application form. Check one of the following:

☐ A license update is included.

☒ Information contained in the license file is accurate and complete at the time of filing of this application.
No update is included.

Following notification that the permit appears eligible for issuance, the applicant must certify that all information in this application and the license file pertaining to ownership and control, surface mining history and violation history is still valid or the applicant must submit the appropriate update information.

3. CONTROL OF MINING OPERATION THROUGH CONTROL OF COAL TO BE MINED

Provide the information below for any person or entity who owns or controls the coal to be mined under this permit and who, by lease, sublease, or other contract:

A. has the right to receive the coal after mining, or,

B. has the authority to determine the manner in which the operator or permittee conducts surface coal mining operations.

(USE ADDITIONAL SHEETS IN THE FORMAT BELOW IF NECESSARY)

Name: **Cedar Lake Mining, Inc.**
Street Address: **9865 Highway 269**
City: **Parrish** State: **AL** Zip: **35580**
Mailing Address: **P.O. Box 1608**
City: **Jasper** State: **AL** Zip: **35502**
Telephone Number: **(205)-686-0055**
Social Security Number (Voluntary): **- -**
Employer Identification Number:
ASMC License#: **L-0775**

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PART I C. PROPERTY OWNERSHIP, INTERESTS AND RIGHTS

1. OWNERSHIP OF PROPERTY TO BE MINED AND RIGHT OF ENTRY.

INSTRUCTIONS:

Show the property ownership boundaries of each parcel of land in the permit area on the permit map or an overlay of the same scale as the permit map. If the surface estate is severed from the mineral estate, show and describe the ownership of each estate separately. In the spaces below, identify:

1. Every current legal or equitable owner(s) of record (as found in a standard search of title) of the property;
2. The holders of record of any leasehold interest in the property; and,
3. Any purchaser of record under a real estate contract of the property.

Describe the basis of the applicant's legal right to enter and mine on all properties contained in the permit application. If the mineral estate has been severed from the surface estate, describe the basis of the legal right to enter and mine both the surface and mineral separately. Give the nature of such right (i.e. lease, deed, contract, etc.), where recorded, describe from whom, to whom, and the date executed and whether that right is the subject of pending litigation.

USE ADDITIONAL SHEETS IN THE FORMAT BELOW AS NECESSARY

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Legal description of property or permit map symbol: **S-1, F-1 & M-1**

(SEE PERMIT MAP)

Surface/Mineral/or Fee Simple (both): **SURFACE, FEE & MINERAL**

Legal owner(s) of record: **ALABAMA POWER COMPANY**

Address: **P.O. Box 2641** City: **Birmingham** State: **AL** Zip: **35201**

Holders of leasehold interest: _____

Address: _____ City: _____ State: _____ Zip: _____

Purchasers under a real estate contract: _____

Address: _____ City: _____ State: _____ Zip: _____

Description of right to enter or mine: _____

Describe the type of document or conveyance which grants the right of entry, disturbance or mining. Indicate from whom the right was acquired and to whom the right was granted. If the grantor of the right is not the owner(s) of property, identify all grantors and grantees of the right beginning with the owner(s) and ending with the permit applicant.

Describe Right of Entry (If deed indicate where recorded):	Granted From:	Granted To:	Date Granted:	Litigation Pending? (Yes or No) If yes, explain
Lease	Alabama Power Company	Taft Coal Sales & Associates, Inc.	8-8-98	NO
Assignment	Taft Coal Sales & Associates, Inc.	Seminole Coal Resources , LLC.	2-12-16	NO
Assignment	Seminole Coal Resources , LLC.	Cedar Lake Mining, Inc.	4-27-16	NO

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Legal description of property or permit map symbol: S-2
(SEE PERMIT MAP)

Surface/Mineral/or Fee Simple (both): SURFACE

Legal owner(s) of record: RACCOON MTN MLT, LLC

Address: 2361 Cumberland Lake Drive City: Pinson State: AL Zip: 35126

Holders of leasehold interest: _____

Address: _____ City: _____ State: _____ Zip: _____

Purchasers under a real estate contract: _____

Address: _____ City: _____ State: _____ Zip: _____

Description of right to enter or mine:

Describe the type of document or conveyance which grants the right of entry, disturbance or mining. Indicate from whom the right was acquired and to whom the right was granted. If the grantor of the right is not the owner(s) of property, identify all grantors and grantees of the right beginning with the owner(s) and ending with the permit applicant.

Describe Right of Entry(If deed indicate where recorded):	Granted From:	Granted To:	Date Granted:	Litigation Pending? (Yes or No) If yes, explain
Lease	Raccoon MTN MLT, LLC	Cedar Lake Mining, Inc.	8-3-16	NO

**CEDAR LAKE MINING, INC.
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Legal description of property or permit map symbol: S-4

(SEE PERMIT MAP)

Surface/Mineral/or Fee Simple (both): SURFACE

Legal owner(s) of record: KEITH & ANGELA CROW

Address: 75 Willamstown Lane City: Parrish State: AL Zip: 35580

Holders of leasehold interest: _____

Address: _____ City: _____ State: _____ Zip: _____

Purchasers under a real estate contract: _____

Address: _____ City: _____ State: _____ Zip: _____

Description of right to enter or mine:

Describe the type of document or conveyance which grants the right of entry, disturbance or mining. Indicate from whom the right was acquired and to whom the right was granted. If the grantor of the right is not the owner(s) of property, identify all grantors and grantees of the right beginning with the owner(s) and ending with the permit applicant.

Describe Right of Entry (If deed indicate where recorded):	Granted From:	Granted To:	Date Granted:	Litigation Pending? (Yes or No) If yes, explain
Agreement	Keith & Angela Crow	Cedar Lake Mining, Inc.	7-21-2016	No

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Legal description of property or permit map symbol: S-12

(SEE PERMIT MAP)

Surface/Mineral/or Fee Simple (both): SURFACE

Legal owner(s) of record: JOHN MULLEN.

Address: 2405 Woodridge Drive City: Jasper State: AL Zip: 35504

Holders of leasehold interest: _____

Address: _____ City: _____ State: _____ Zip: _____

Purchasers under a real estate contract: _____

Address: _____ City: _____ State: _____ Zip: _____

Description of right to enter or mine:

Describe the type of document or conveyance which grants the right of entry, disturbance or mining. Indicate from whom the right was acquired and to whom the right was granted. If the grantor of the right is not the owner(s) of property, identify all grantors and grantees of the right beginning with the owner(s) and ending with the permit applicant.

Describe Right of Entry (If deed indicate where recorded):	Granted From:	Granted To:	Date Granted:	Litigation Pending? (Yes or No) If yes, explain
Lease	John Mullen	Taft Coal Sales & Associates, Inc.	2-8-08	NO
Assignment	Taft Coal Sales & Associates, Inc.	Seminole Coal Resources , LLC.	2-12-16	NO
Assignment	Seminole Coal Resources , LLC.	Cedar Lake Mining, Inc.	4-27-16	NO

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Legal description of property or permit map symbol: S-26

(SEE PERMIT MAP)

Surface/Mineral/or Fee Simple (both): SURFACE

Legal owner(s) of record: KEYWEST 1, LLC

Address: 76 Gulf View Drive City: Panama City State: FL Zip: 32413

Holders of leasehold interest: _____

Address: _____ City: _____ State: _____ Zip: _____

Purchasers under a real estate contract: _____

Address: _____ City: _____ State: _____ Zip: _____

Description of right to enter or mine:

Describe the type of document or conveyance which grants the right of entry, disturbance or mining. Indicate from whom the right was acquired and to whom the right was granted. If the grantor of the right is not the owner(s) of property, identify all grantors and grantees of the right beginning with the owner(s) and ending with the permit applicant.

Describe Right of Entry (If deed indicate where recorded):	Granted From:	Granted To:	Date Granted:	Litigation Pending? (Yes or No) If yes, explain
Lease	Keywest 1, LLC	Cedar Lake Mining, Inc.	Pending	No

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Legal description of property or permit map symbol: S-27

(SEE PERMIT MAP)

Surface/Mineral/or Fee Simple (both): SURFACE

Legal owner(s) of record: DIANE ALLEN & JENNIFER ROBERTSON

Address: 89 Gilmore Road City: Jasper State: AL Zip: 35504

Holders of leasehold interest: _____

Address: _____ City: _____ State: _____ Zip: _____

Purchasers under a real estate contract: _____

Address: _____ City: _____ State: _____ Zip: _____

Description of right to enter or mine:

Describe the type of document or conveyance which grants the right of entry, disturbance or mining. Indicate from whom the right was acquired and to whom the right was granted. If the grantor of the right is not the owner(s) of property, identify all grantors and grantees of the right beginning with the owner(s) and ending with the permit applicant.

Describe Right of Entry (If deed indicate where recorded):	Granted From:	Granted To:	Date Granted:	Litigation Pending? (Yes or No) If yes, explain
Lease	Diane Allen & Jennifer Robertson	Cedar Lake Mining, Inc.	Pending	No

**CEDAR LAKE MINING, INC.
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PART I C. (CONTINUED)

2. OWNERSHIP OF SURFACE AND MINERAL LANDS CONTIGUOUS TO THE AREA TO BE MINED.
INSTRUCTIONS:

Provide the information below for the owners of record of all surface and mineral properties contiguous to any part of the proposed permit area.

USE ADDITIONAL SHEETS IN THE FORMAT BELOW AS NECESSARY

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Name: ALABAMA POWER COMPANY.
Address: P.O. Box 2641 City: Birmingham State: AL Zip: 35201
Interest owned (Surface Coal or Fee Simple): Surface, fee & mineral
Type of Interest (Owner, Lease, or Other): Owner

Name: RACCOON MTN MLT, LLC
Address: 2361 CUMBERLAND LAKE DRIVE
City: PINSON State: AL Zip: 35126
Interest owned (Surface Coal or Fee Simple): Surface
Type of Interest (Owner, Lease, or Other): Owner

Name: KEITH & ANGELA CROWE
Address: 75 Willamstown Lane
City: Parrish State: AL Zip: 35580
Interest owned (Surface Coal or Fee Simple): Surface
Type of Interest (Owner, Lease, or Other): Owner

Name: JOHN MULLEN.
Address: 2405 Woodridge Drive
City: Jasper State: AL Zip: 35504
Interest owned (Surface, Coal or Fee Simple): Surface
Type of Interest (Owner, Lease, or Other): Owner

Name: JIMMY R. SANFORD
Address: 586 Robbins Road
City: Parrish State: AL Zip: 35580
Interest owned (Surface, Coal or Fee Simple): Surface
Type of Interest (Owner, Lease, or Other): Owner

Name: DIANE ALLEN & JENNIFER ROBERTSON
Address: 89 Gilmore Road
City: Jasper State: AL Zip: 35504
Interest owned (Surface, Coal or Fee Simple): Surface
Type of Interest (Owner, Lease, or Other): Owner

Name: KEYWEST 1, LLC
Address: 76 Gulf View Drive
City: Panama City State: FL Zip: 32413
Interest owned (Surface, Coal or Fee Simple): Surface
Type of Interest (Owner, Lease, or Other): Owner

Name: RANDALL WAYNE & REBECCA AARON
Address: 469 Robbins Road
City: Parrish State: AL Zip: 35580
Interest owned (Surface, Coal or Fee Simple): Surface

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PART I C. (CONTINUED)

2. OWNERSHIP OF SURFACE AND MINERAL LANDS CONTIGUOUS TO THE AREA TO BE MINED.

INSTRUCTIONS:

Provide the information below for the owners of record of all surface and mineral properties contiguous to any part of the proposed permit area.

USE ADDITIONAL SHEETS IN THE FORMAT BELOW AS NECESSARY

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Name: BARBARA MANASCO REED
Address: 270 Winnsbooth Road City: Parrish State: AL Zip: 35580
Interest owned (Surface Coal or Fee Simple): Surface
Type of Interest (Owner, Lease, or Other): Owner

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3. INTERESTS OR PENDING INTERESTS IN LANDS CONTIGUOUS TO THE PERMIT AREA.
INSTRUCTIONS:

THE APPLICANT HAS NO INTEREST IN ANY LANDS OR CONTIGUOUS LAND
OTHER THAN THE PERMITTED AREA.

Give the legal description of all lands contiguous to the permit area for which the permit applicant:

- 1. Holds an interest,
- 2. Holds an option, or
- 3. Has made a bid for ownership, lease or other interest.

USE ADDITIONAL SHEETS IN THE FORMAT BELOW AS NECESSARY

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Legal description: _____

Describe the nature of the interest: _____

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Legal Description: _____

Describe the nature of the interest: _____

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Legal description: _____

Describe the nature of the interest: _____

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PART I D. PERMIT AREA INFORMATION

1. Give the requested term of this permit: 5 years.
2. Give the legal description of the land upon which the applicant proposes to conduct surface coal mining operations. List each quarter-quarter section, section, township, range, and county.

NW/SW, SW/SW, SE/SW, NE/SW, NW/SE, SW/SE, NE/SE, SE/SE of Section 3, NW/NE, SW/NE, SE/NW, NE/NW of Section 10, Township 16 South, Range 7 West, all in Walker County, Alabama.

3. Give the acreage of the permit, each increment and the type of bonding.
- a. Total permit acreage: 403 acres

- b. Give the acreage and type of bond for each mining increment:

<u>Increment</u>	<u>Acres</u>	<u>Type Bond Proposed</u>
1	278	Certificate of Deposit
2	74	Certificate of Deposit
5	51	Certificate of Deposit

- c. Identify the increment(s) on which mining will initially begin upon issuance of this permit: Inc. No. 1

4. Has any acreage in the proposed permit area been previously disturbed by mining? (XX) YES () NO

If yes, supply the following for any and all previously disturbed areas:

- a. Show the boundaries of the previously disturbed area(s) on the permit map and identify with an appropriate symbol.

SEE [PERMIT MAP](#)

- b. List, for each area, the permit number under which it was disturbed and the number of acres. Indicate the status of each permit as Unreleased, Grading released, or 100% released.(If no permit, indicate as such)

<u>Permit</u>	<u>Acres</u>	<u>Status</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____

5. Is disturbance to be conducted within 300 feet, measured horizontally, from an occupied dwelling?
() YES (XX) NO

If YES, attach a signed waiver from the owner of the dwelling indicating the minimum distance disturbance will be allowed by the owner.

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PART I D. (CONTINUED)

6. Is disturbance proposed within 100 feet of a public road right-of-way or will a public road be closed or relocated?
() YES (XX) NO.

If YES, enclose a copy of the approval granted by the government entity which has jurisdiction over the road. The approval must state the minimum distance disturbance will be allowed to the road or road right-of-way.

7. List all other licenses and permits required to conduct mining operations including, but not limited to, MSHA I.D. and NPDES. Give the identification or permit number, the name and address of the issuing authority, and the status or date of approval or issuance of each:

Permit	ID or Permit Number	Issuing Authority	Address	Status or date of issuance
<u>MSHA ID</u>	<u>01-00347</u>	<u>MSHA</u>	<u>228 West Valley Ave.</u> <u>Birmingham, AL 35209</u>	<u>07/21/97</u>
<u>NPDES</u>	<u>AL0072184</u>	<u>ADEM</u>	<u>1751 Federal Drive</u> <u>Montgomery, AL 36130</u>	<u>03/24/09</u>

8. Is the property in the permit covered by zoning or other land use restrictions? () YES (XX) NO.
If yes, indicate the jurisdictional authority and zoning or land use restriction for the entire permit area. If more than one zoning classification exists for the permit area, identify the boundaries of each on the permit map.

Jurisdictional Authority	Zoning Classification	Allows mining? Yes or No
<u>N/A</u>	<u></u>	<u></u>
<u></u>	<u></u>	<u></u>
<u></u>	<u></u>	<u></u>

9. Describe access to the proposed mine from a known point on the nearest public highway:

From the intersection of Alabama State Highway 269 and Segco Road, travel west on Segco Road approximately 0.3 miles to the mine entrance.

10. Did the applicant receive assistance from the Small Operator Assistance Program in preparing this application?
() YES (XX) NO
If YES, list SOAP I.D. Number:

11. Submit a certificate of proof of Liability Insurance with this application.

PART I E. PUBLIC NOTICE AND AVAILABILITY FOR INSPECTION

12. Give the name of the approved public office in which a copy of this application will be filed for public inspection following notification of completeness: Alabama Surface Mining Commission and Alabama Surface Mining Commission website <http://surface-mining.alabama.gov>

13. Enclose a copy of the notice of filing of this application which will appear in a newspaper of general circulation in the vicinity of the mine and identify the name of the newspaper: See Attachment I- E-1

**CEDAR LAKE MINING, INC.
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PUBLIC NOTICE FILING OF PERMIT APPLICATION

In accordance with the provision of Act No. 81-435 of the State of Alabama and the regulations promulgated under this act, Cedar Lake Mining, Inc., 9865 Highway 269, Parrish, AL 35580 is filing an application to revise its Robbins Road Mine (P-3974), Surface Mine. Access to the mine is as follows:

From the intersection of Alabama State Highway 269 and Segco Road, travel west on Segco Road approximately 0.3 miles to the mine entrance.

Nature of Proposed Revision R-9:

1. Modify the Operation Plan.
2. Transfer 4 mining acres from Increment No. 5 to Increment No. 2
3. Add 33 mining acres to Increment No. 2
4. Modify the General Plan. (Modify/re-evaluate Sediment Basins 043, 043A and 045)

NW/SW, SW/SW, SE/SW, NE/SW, NW/SE, SW/SE, NE/SE, SE/SE of Section 3, NW/NE, SW/NE, SE/NW, NE/NW of Section 10, Township 16 South, Range 7 West, all in Walker County, Alabama.

A copy of the permit application is available for public inspection and review on the Alabama Surface Mining Commission website <http://surface-mining.alabama.gov>. A copy of the permit application is also available for public inspection and review at the office of the Alabama Surface Mining Commission located on the second floor of the Pinnacle Bank Building at 1811 2nd Avenue, Jasper, Alabama 35501. Written comments, objections, request for public hearing or request for informal conferences concerning this permit should be sent to the Alabama Surface Mining Commission, P.O. Box 2390, Jasper, Alabama 35502-2390, no later than 30 days from the last date of publication of this notice.

This notice to be published in the Daily Mountain Eagle Newspaper.